REMARKS

Claims 1, 2, 4, 5, 8-24 and 27-54 are pending in which claims 3, 6, 7, 25, 26 and 55-62 were previously canceled without prejudice. In the previous Final Office Action, claims 1, 2, 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves (6,575,361) and McDonald (2003/0080186A1), claims 8-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher (6,065,675), claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher and further in view of O'Leary (6,609,113), claims 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker (3,943,335), claims 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kinker and further in view of O'Leary, claims 20-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher, Kramer and Flitcroft (2003/0028481A1), claim 23 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer and further in view of Kinker, claims 24 and 27-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer and further in view of O'Leary, claims 37-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher, claims 40-47, 49 and 50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kramer, claim 48 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, claim 51 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary, claim 52 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and

further in view of O'Leary, claim 53 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, and claim 54 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary.

The attorney of record, Gary Stanford, and another representative of Applicant, inventor Mr. Roy Sosa, met with several Examiners on Tuesday, July 18, 2006 at the Patent and Trademark Office (PTO) to discuss the present application along with several other related applications. The Examiners present at the meeting included Debra Charles and Supervisory Patent Examiner (SPE) Charles Kyle. Since the case was technically on Appeal since Applicant filed a Notice of Appeal on May 24, 2006, Examiner Kyle stated that he was present in an unofficial capacity. Examiner Kyle stated, however, that he would be available for consultation concerning subsequent continuing prosecution of the present application.

During the meeting, Mr. Sosa presented a phone card supported by E-2 Interactive, Inc., the Assignee of the U.S. Patent 6,575,361 invented by Graves et al (referred to herein as "Graves"). And Mr. Sosa proceeded to compare and contrast prepaid cash cards sold by Applicant with the stored-value cards shown and described in Graves. Applicant first provides a brief synopsis of Graves in accordance with that discussed in the PTO meeting as well as further details from the Graves disclosure.

In accordance with that described in Graves, a user is able to purchase a stored-card to allow the user to pre-purchase a particular good or service offered by a particular card issuer merchant. Graves provides several examples prepaid services that may be accommodated by the stored-value data, including long distance telephone

communication, wireless communication, paging and internet-enabled communication services, including wireless Web access, gift cards, prepaid gas cards, prepaid grocery cards, prepaid entertainment cards, customer rewards cards and any other type of stored-value cards for products, services, or both, that may be prepaid by the owner of the card. (Col. 1, lines 22 – 32). Graves provides an example of phone services, such as long distance calling time (see Graves col. 1, lines 33 – 36). The "traditional" prepaid phone card includes an identification number, which is also stored in a file in a database maintained by the "card issuer" (Graves col. 1, lines 44-52). The card issuer is the company sponsoring the card to sell the goods or services, such as a grocery store, a gas company, a phone company, or any other company providing prepaid cards for selling their products (see Graves col. 1, lines 15 – 32). The cards are sent to a retail location and sold. To use a phone card, according to the Graves disclosure, "the customer dials a toll free number to access *the card issuer's system*, enters the identification number, and then makes the desired long-distance call." (Graves col. 1, lines 52 – 55, emphasis added). Graves found several disadvantages with such "prior art prepaid phone card systems" among other types of prepaid cards as well as then existing attempts to alleviate such deficiencies (described in Graves col. 1, line 63 – col. 2, line 31). In brief, the cards lacked a desired level of security, and could be easily stolen by a thief and used.

As described in Graves' Summary (col. 2, line 34 – col. 3, line 64), Graves describes a system for *managing* stored-value card data over a communications network between a plurality of terminals and a central processor. The terminals are accessible to respective users (located in available locations) that are generally remote relative to the central processor (col. 2, line 40). The stored-value card data is configured to securely

process in real time stored-value cards transacted by respective users to enable charging prepaid stored-value services and/or products to a recipient of the transacted stored-value card. Graves describes a processing step which allows for processing a "setup" card assigned to a location through each terminal at that location "to capture respective identifiers of each terminal, e.g., terminal electronic signature." (Graves col. 2, lines 48 – 52). Graves describes an associating step which "allows for associating in each stored record the captured identifiers to uniquely match a respective stored-value card and a respective terminal." (Graves col. 2. lines 52 – 54). And Graves describes a transmitting step which "allows for transmitting a request of stored-value card activation to the central processor from a respective requesting terminal," where the central processor is "configured to accept said activation request based on whether the associated identifiers for the stored-value card to be activated match identifiers actually transmitted by the requesting terminal for that stored-value card and terminal." (Graves col. 2, lines 54 – 61). Graves Summary section in col. 3 provides further details of card activation (lines 42 – 51) and incrementing the value on the stored-value card (lines 51 – 63).

Graves' detailed description provides further details of various embodiments of his card data management system. In col. 6, lines 25 – 48 and with reference to FIGS. 1 – 3, the activation and incrementing transactions are conducted by way of a communications network 10, and Graves provides examples including "a phone network, credit or debit card network, the Internet, an intranet, etc., over which credit or debit card transactions are authorized or denied." An exemplary implementation is described beginning with FIGS. 6 and 7 and described in Graves beginning on col. 10, line 39. With reference to Graves' FIGS. 6 and 7 and his discussion thereof, the central processor

stores card data in records 52 and/or a data base 18 and performs a variety of functions including a first processing module 60 for processing card activation requests, a second processing module 62 for processing card value incrementing requests, and a third processing module for processing card deactivation requests. FIG. 7 is a flowchart illustrating a process for card activation. Graves further describes another exemplary embodiment (col. 11, line 65 to col. 12, line 67) which employs a web-based, ID and password protected application available to those with internet access. And Graves describes reconciliation of transactions, such as in a "major credit card network" (col. 12, line 19).

In summary, Graves' system improves the traditional stored-value card systems by providing a system and method for managing the stored-value card data. A key feature of Graves, as described in his Abstract, is the associating step which allows for associating in stored records respective identifiers to uniquely match a respective stored-value card and a respective terminal. The associating step is enabled by assigning a "setup" card to the location and capturing the terminal information when a transaction utilizing that card is made. And Graves includes a transmitting step which allows for transmitting a request of stored-value card activation to the central processor from a respective requesting terminal, where the central processor is configured to accept the activation request based on whether the associated identifiers for the stored-value card to be activated match identifiers actually transmitted by the requesting terminal for that stored-value card and terminal. And such transactions may optionally traverse the networks through which credit or debit transactions occur (Graves col. 6, lines 25 – 30) including those handling major credit cards (Graves col. 12, line 19).

And yet although Graves does improve the management of card data, Graves does not change the fundamental method in which the stored-value cards are actually used for spending the value on the card. In particular, once value is associated with the card, each card is still linked with a particular card issuer, such as that described in col. 1 of Graves. For example, the user purchases and activates a phone card to pre-purchase phone services associated with a particular card issuer, such as Verizon or Cingular or the like. The stored-value cards shown and described in Graves do not include valid charge numbers from a sponsoring bank. Instead, the cards still include an identification number or the like which is provided directly to the card issuer's system (via phone or the like) by the user to initiate use or consumption of the services or goods. And further, the stored-value cards described in Graves include terminal identifiers specifically used in the Graves system to associate each card with a particular terminal or group of terminals for purposes of security and card management. And although the terminal identifiers may be transmitted through a charge settlement network for purposes of setup, activation, incrementing value, or deactivation, the terminal identifiers are decidedly not valid charge numbers received from a sponsoring bank which are routed by the charge settlement network to an issuing system as certified processor for purchase transactions.

The phone card presented at the meeting by Mr. Sosa, which was provided and powered by E-2 Interactive, Inc., the Assignee of the Graves patent, does not include a valid charge number. Instead, it includes a serial number or the like used as the identification number provided to the issuing phone company (third party relative to Graves) to use the phone services in accordance with that described in Graves. Since the phone card does not include a valid charge number, it may not be used to

purchase anything other than the prepaid services for which the card was intended. In contrast, a cash card in accordance with Applicant's claims includes a valid charge number which enables the user to access cash or conduct any purchase transactions in a similar manner as a typical debit or credit card. And yet the cash card is not a credit card (which requires a prior credit approval process) and is not a debit card (since it is not linked to a pre-existing bank account), but instead is associated with a prepaid account stored by the issuing system. And the issuing system (e.g., NetSpend) operates as the processor of the valid charge numbers routed via the charge settlement network.

During the meeting, Examiner Kyle mentioned the possible application of "On-Us" transactions. An "On-Us" transaction is defined as "any electronic banking transaction in which the acquirer and the issuer are the same institution" (see glossary of terms provided by First Data found online at http://www.firstdata.com/abt_gloss_O.jsp). In a transaction that is not "On-Us", the merchant sends a transaction to its acquirer, which forwards the transaction to the card number issuer (e.g., VISA, Mastercard, AMEX, etc.), which forwards the transaction to the issuing processor, all via the banking network otherwise referred to as the charge settlement network. In an "On-Us" transaction, since the acquirer and the issuing processor are the same entity, the charge settlement network is bypassed and not employed since the transaction is handled locally by a private or dedicated network established for "On-Us" transactions. Applicant respectively submits that such "On-Us" transactions do not employ the charge settlement network in the first place, such that the charge settlement network is not configured to route the card numbers (valid charge numbers) to the issuing system as certified processor.

In the "Response to Arguments" section of the Final Office Action, it was stated that Applicant's arguments were not persuasive on that basis that the "Attorney claims the Graves and McDonald et al. references do not apply to purchase transactions." And then col. 1, lines 15-35 of Graves were cited as supporting Examiner's position that the Graves reference "does refer to purchase transactions." Applicant respectfully submits that the Examiner's summation of Applicant's argument is an oversimplification of Applicant's position and is therefore misleading. The background section of Graves specifically states that Graves' invention is related to "remote data management" and a "method for managing stored-value card data between a plurality of users and a central processor over a communications network." Yet, as described above, card management does not mean that Graves system operates as processor for card numbers as valid charge numbers used for purchase transactions or that the charge settlement network routes the card numbers to the Graves system as certified processor for purchase transactions as recited in claim 1. As noted above, Graves' processing modules 60, 62 and 64 are for processing *activation* requests, *incrementing* requests, and *deactivation* requests, respectively. There are no processing modules associated with purchase transactions involving valid charge numbers routed via the charge settlement network. The type of prepaid cards described in Graves are the same as or substantially similar to the prior-art cards described in Graves background section, particularly concerning usage of the cards for purchase transactions. And as further described below, McDonald does not overcome the deficiencies of Graves.

Applicant respectfully traverses the §103(a) rejection of claims 1, 2, 4 and 5 as being unpatentable over Graves and McDonald.

Graves does not show a "method of enabling transactions with cash cards via a charge settlement network" including "receiving a plurality of valid charge numbers from a sponsoring bank", "configuring an issuing system to interface an electronic communications network and the charge settlement network and to operate as processor of the plurality of valid charge numbers for purchase transactions, the plurality of valid charge numbers including a plurality of card numbers", "providing each of the plurality of card numbers onto a corresponding one of a plurality of cash cards, each cash card configured for interfacing a card reader of the charge settlement network to retrieve a corresponding card number" and "configuring the charge settlement network to route any of the plurality of card numbers to the issuing system as certified processor for purchase transactions" as recited in claim 1.

As previously described, the stored-value cards described in Graves include an identification number and a terminal identifier, neither of which are valid charge numbers provided by a sponsoring bank. The identification number is described in Graves as being provided directly to the card issuer for purposes of spending the amount of the card in exchange for the particular services for which the card was purchased. And the terminal identifier, though routed in the charge settlement network, is not a valid charge number provided by a sponsoring bank but instead is used for purposes of associating each stored-value card with a particular terminal or set of terminals for security purposes. In contrast, as noted in the application as filed on page 4 beginning on line 16, the "valid charge numbers are configured in accordance with universally-accepted debit or credit numbers, such as those used or licensed by VISA, MasterCard, American Express, Discover, etc." And it is further stated therein that the "valid charge numbers are accepted

by merchants and automated teller machines (ATM) to consummate cash and/or purchase transactions in a similar manner as credit, debit or bank cards commonly used today."

Claim 1 is amended solely for purposes of clarity to recite "selling to a user a selected cash card for a cash amount" and "selectively establishing a new prepaid account for the user with a cash balance of the cash amount used to purchase the selected cash card or adding the cash amount to a cash balance of an existing prepaid account of the user." Claim 1 is further amended solely for purposes of clarity to recite associating the prepaid account with a card number of the selected cash card, where the selected cash card enables the user to conduct transactions with any entity that accepts valid charge numbers in which the card number is provided to and routed by the charge settlement network to the issuing system for processing transactions using a cash balance of the prepaid account. Support for these amendments is provided in the application as filed from page 5, line 22 to page 7, line 16. Note, for example, page 7, lines 3 – 5 in which the activated card number "may be utilized in a similar manner as a debit or credit card for conducting transactions." Graves system simply does not provide such a valuable functionality since his stored-value cards are limited to transactions directly with the card issuer.

McDonald fails to overcome the deficiencies of Graves with respect to claim 1. McDonald does not show "receiving a plurality of valid charge numbers from a sponsoring bank", "configuring an issuing system to interface an electronic communications network and the charge settlement network and to operate as processor of the plurality of valid charge numbers for purchase transactions" and "providing each of the plurality of card numbers onto a corresponding one of a plurality of cash cards,

each cash card configured for interfacing a card reader of the charge settlement network to retrieve a corresponding card number" as recited in claim 1. McDonald also does not show "configuring the charge settlement network to route any of the plurality of card numbers to the issuing system as certified processor for purchase transactions" as recited in claim 1. As shown in FIG. 9 and as described in paragraph [0094] of McDonald, when a credit type card is used (e.g., non-proprietary commercial credit card), McDonald's system is "required to access a remote credit card customer database." The remote credit card customer database is thus the certified processor for purchase transactions, which is not part of McDonald's system but instead is according to standard credit card based transactions. Further as noted in paragraph [0091], if the card swipe data indicates any type of valid charge number (e.g., VISA or some other commercial credit card), then the dispatch element responds by sending the card swipe data to the remote credit card customer database. This is contrary to "configuring the charge settlement network to route any of the plurality of card numbers to the issuing system as certified processor for purchase transactions" as recited in claim 1.

Applicant respectfully submits, therefore, that claim 1 is allowable over Graves and McDonald. Claims 2, 4 and 5 are also allowable as depending upon allowable claim 1. Applicant requests withdrawal of this rejection.

Claim 4 is amended solely for purposes of clarity to more specifically recite that the "associating" element comprises "receiving, by the issuing system, a card number from the charge settlement network, activating the received card number if it is one of the plurality of card numbers, and associating the activated card number with the prepaid

account." This amendment is supported in the activation description provided in the paragraph beginning on page 5, line 22 of the application as filed.

Applicant respectfully traverses the §103(a) rejection of claims 8-13 as being unpatentable over Graves in view of Teicher.

It is first noted that claim 8 is amended solely for purposes of clarity to recite that the issuing system activates a plurality of card numbers received via the charge settlement network and then associates each activated card number with a prepaid account.

As stated by the Examiner in the prior Office Action, Graves does not show associating an activated card number with a corresponding one of a plurality of prepaid accounts. And it is stated that Teicher discloses associating various cards with an existing bank account and the opening a new account is known in the financial services industry. Applicant respectfully maintains the traversal of the assertion that it would be obvious to modify the invention of Graves based on the teachings of Teicher. Although both references employ the term "stored-value", this term means two different things in these two references. Teicher defined "stored-value devices" on col. 3, lines 21-42 as "any device or apparatus which is able to receive, store, and transfer electronic cash." And Teicher further states that in a system according to his invention, "a payment card contains at least one electronic purse, which serves as a stored-value device." (Teicher col. 3, lines 29-32). In Graves, there is no such stored-value device but instead Graves' disclosure is directed towards stored-value services. Thus, it would not be obvious to combine Teicher and Graves in the manner suggested by the Examiner to add prepaid accounts to Graves.

Yet at a more fundamental level, as with Graves, Teicher does not show or describe purchasing a cash card with a valid charge number for a cash amount and an issuing system which operates as processor for the valid charge number for purchase transactions. The prepaid account is not a bank account. In one embodiment, a user first buys a cash card for cash in which the cash amount is then used to establish a prepaid account. In the conventional debit card situation associated with a bank account, the bank account must be established first according to standard banking rules, and then the debit card is issued after the bank account is created. And Applicant further notes that neither Graves nor Teicher show selectively establishing a new prepaid account with a balance of the cash amount used to purchase the selected cash card or adding the cash amount to the cash balance of an existing account. Applicant is unaware of any art in which a card is purchased in which the purchase amount is used to create a new bank account or added to its balance in the manner recited in claim 1.

Graves and Teicher does not show Applicant's invention as recited in claim 8. The issuing system is not a bank or a financial institution. In the present application, an issuing bank 101 is described as having an account database including an issuing system (IS) account DDA 102 that is associated with the issuing system 107 (see page 28, lines 1-20 of Application as filed). The issuing system establishes the prepaid account for the user without the user having to establish a bank account with a bank or any other financial institution.

Applicant respectfully submits that it is not known in the financial services industry to have an issuing system which operates as processor for valid charge numbers, which is certified processor for the charge numbers, which is configured to interface an

electronic communications network to conduct purchase transactions, and which associates activated card numbers with prepaid accounts as recited in amended claim 8, so that claim 8 is allowable over Graves and Teicher. Further, claims 9-13 are allowable as depending upon an allowable base claim. Applicant requests withdrawal of these rejections of claims 8-13.

Applicant respectfully traverses the §103(a) rejection of claim 14 as being unpatentable over Graves and Teicher as applied to claim 9 and further in view of O'Leary. O'Leary does not overcome the deficiency of Graves described above regarding claim 1, or Graves and Teicher as described above with respect to claim 9, so that claim 14 is allowable over Graves, Teicher and O'Leary as depending upon allowable claims 1 and 9. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 15 and 16 based on Graves, Teicher and Kinker. Claim 15 is amended solely to provide proper antecedent basis to the "receiving" element of claim 9 to avoid confusion with the "receiving" element of claim 1. Kinker concerns automatic banking equipment for enabling a customer to carry out banking services associated with bank accounts. As such, there is no suggestion for combining Kinker with Graves (or Teicher) especially since the "motivation" behind Graves system is improvement of the type of prepaid cards that may be used without the user/customer having to have a bank account. Kinker also does not overcome the deficiencies of Graves described above regarding claims 1 or the deficiencies of Graves and Teicher described above regarding claim 8, so that claims 15 and 16 are allowable over Graves, Teicher and Kinker. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 17-19 based on Graves, Teicher, Kinker and O'Leary. Claims 17-19 are allowable over Graves, Teicher, Kinker and O'Leary as depending upon allowable claims 1 and 8 and Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 20-22 as being unpatentable over Graves, Teicher, Kramer and Flitcroft.

Contrary to that stated in the Office Action and similar to that described above with respect to claim 1, Graves does not show "receiving a plurality of valid charge numbers from a sponsoring bank", "separating the plurality of valid charge numbers into a plurality of card numbers and a plurality of purchase numbers", "configuring an issuing system to interface the charge settlement network and to operate as processor of the plurality of valid charge numbers", "providing each of the plurality of card numbers onto a corresponding one of a plurality of cash cards, each cash card configured for interfacing a card reader of the charge settlement network to retrieve a corresponding card number", "configuring the charge settlement network to route any of the plurality of valid charge numbers to the issuing system as certified processor" and "configuring the issuing system to interface the electronic communications network to conduct purchase transactions" as recited in claim 20. Teicher, Kramer and Flitcroft are cited for limited purposes but none of these references overcome the deficiencies of Graves with respect to claim 20.

Claim 20 is amended solely for purposes of clarity to recite "selling at least one valid charge number for a cash amount, each valid charge number sold either as a card number on a corresponding cash card or a purchase number transmitted via the electronic communications network", and "establishing, by the issuing system, at least one prepaid

account for each user who has purchased at least one valid charge number, and adding the cash amount received to a balance of an existing prepaid account or a newly established prepaid account." And the associating element of claim 20 is amended solely for purposes of clarity to recite "associating each prepaid account with at least one of the valid charge numbers, wherein the at least one valid charge number enables a user to conduct transactions with any entity that accepts valid charge numbers in which each valid charge number is provided to and routed by the charge settlement network to the issuing system for processing transactions using a cash balance of the prepaid account."

Applicant notes that the valid charge number may be provided on a cash card or delivered online such as during a purchase transaction. In an original configuration by Applicant, a user purchased a card for cash in which the card was a setup card used for purposes of establishing the prepaid account. In one embodiment, the setup card had a valid charge number incorporated thereon (such as on a magnetic strip) where the card was swiped or the like and the card number was routed to the issuing system by the charge settlement network. In another embodiment, the setup card simply had only a serial number used to establish the prepaid account. Once the prepaid account was established, the user was either sent a cash card incorporating a valid charge number, or the user simply requested valid charge numbers during online purchase transactions. Cclaim 20 recites the selling of a valid charge number for cash used to establish the prepaid account.

In a similar manner as discussed above, Graves is limited to card management and does not show selling valid charge numbers for cash whether provided on cards or via an electronic communications network. Again, Graves does not employ valid charge

numbers but instead relies on the identification number provided to the card issuer during use. Further, Graves does not show selling valid charge numbers for a cash amount which is added to the balance of an existing prepaid account or to a newly established prepaid account as recited in claim 20.

Kramer concerns an electronic graphical representation of a monetary system for implementing electronic money payments *as an alternative medium of economic exchange to cash, checks, credit and debit cards, and electronic funds transfer* (col. 1, lines 15-20), so that there is no suggestion whatsoever for combining the alternative medium of Kramer with Graves, and instead it appears that Kramer teaches against the system of Graves. And Flitcroft is a credit card system and method directed towards limiting fraud in credit-based transactions so that there is no suggestion whatsoever for combining Flitcroft in the manner suggested by the Examiner. The only suggestion for combining these references with Graves is Applicant's claims, which is improper hindsight.

Applicant respectfully submits that it is not known in the financial services industry to have an issuing system which operates as processor for valid charge numbers, which is certified processor for the charge numbers, and which is configured to interface an electronic communications network to conduct purchase transactions as recited in amended claim 20, so that claim 20 is allowable over Graves, Teicher, Kramer and Flitcroft. Claim 22 is amended solely for purposes of clarity to recite "adding the cash amount (used to purchase the valid charge number) to a cash balance of the prepaid account." This is true whether the prepaid account already exists or is newly created.

Claims 21 and 22 are allowable as depending upon allowable claim 20. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claim 23 as being unpatentable over Graves, Teicher, Kramer and Kinker. Claim 21 is allowable over Graves, Teicher and Kramer, and Kinker does not overcome the deficiencies of these references and there is no suggestion for the combination of references in the first place. Claim 23 is allowable as depending upon an allowable base claim.

Applicant respectfully traverses the §103(a) rejection of claims 24 and 27-36 as being unpatentable over Graves, Teicher, Kramer and O'Leary. O'Leary does not overcome the deficiencies of Graves, Teicher and Kramer with respect to claim 20, so that claims 24 and 27-36 are allowable as depending upon an allowable base claim.

Further with respect to claim 27 and claims 28-32, none of the references including Graves, Teicher or Kramer, alone or in combination, show or suggest receiving a request from the user for a valid charge number and providing a selected purchase number via the electronic communications network in response to the request. Furthermore, O'Leary does not show expiring a selected purchase number after authorizing the purchase transaction, where the selected purchase number is selected from the plurality of valid charge numbers provided by a sponsoring bank to the issuing system. O'Leary only references a "unique" transaction number which is included in payment communications, which is not described as a valid charge number at all but simply an incidental number used to identify the transaction rather than enable it.

Further with respect to claim 24, none of the references including Graves, Teicher, Kramer, or O'Leary, alone or in combination, show or suggest an issuing system

detecting an online purchase transaction between the user and an online merchant and providing a selected purchase number via the electronic communications network to consummate the purchase transaction, where the selected purchase number is selected from the plurality of valid charge numbers provided by a sponsoring bank to the issuing system. O'Leary describes the conventional "pull" technology (O'Leary, col. 8, lines 41-58) where the seller pulls the payment from the buyer's account using a debit instruction. But in any such debit transaction as known to those skilled in the art, the buyer must provide the charge number in the first place in order for the seller to access the account of the buyer. And O'Leary's "push" technology is entirely different in which the user pushes "an EFT credit from the IPA or DDA accounts to a merchant's account" (O'Leary, col. 7, lines 8-12).

Applicant respectfully traverses the §103(a) rejection of claims 37-39 as being unpatentable over Graves and Teicher.

Claim 37 is allowable for similar reasons as recited above for claim 20 in that Graves and Teicher do not show an issuing system comprising a storage device that stores an account database of a plurality of prepaid accounts and a plurality of valid charge numbers including a plurality of card numbers and received from an issuing bank, each being associated with a corresponding one of the plurality of valid charge numbers, and a processor program, for interfacing the charge settlement network, that enables the issuing system to operate as certified processor for transactions including purchase transactions using any of the plurality of valid charge numbers. And Graves and Teicher do not show a plurality of cash cards each incorporating one of the card numbers (which are included within the plurality of valid charge numbers).

Applicant again traverses the combination of Graves and Teicher with respect to claim 37 in that there is no suggestion for such combination and the resulting combination does not achieve the invention of claim 37 as previously described. Claims 38 and 39 are also allowable as depending upon an allowable base claim. Applicant requests withdrawal of these rejections.

Claim 37 is amended solely for purposes of clarity to recite that each cash cards is sold to a corresponding user for a cash amount which is added to a balance of an existing or newly created prepaid account, and where the purchased cash card enables the user to conduct purchase transactions with any entity that accepts valid charge numbers in which the purchase transactions are settled via the charge settlement network using the card number on the purchased cash card and a balance of a prepaid account.

Applicant respectfully traverses the §103(a) rejection of claims 40-47 and 49-50 as being unpatentable over Graves, Teicher and Kramer.

Kramer does not overcome the deficiencies of Graves and Teicher with respect to claim 37 and there is no suggestion for combining Kramer in the first place as previously described. Therefore, claims 40-47 and 49-50 are allowable as depending upon an allowable base claim. Applicant requests withdrawal of these rejections.

Applicant respectfully traverses the §103(a) rejections of claim 48, 51, 52, 53 and 54 as being unpatentable over Graves and Teicher and further in view of Kinker or O'Leary. As argued above, Graves and Teicher do not obviate Applicant's invention and there is no suggestion for combining Teicher or Kinker with Graves. And neither Kinker nor O'Leary overcome the deficiencies of Graves and Teicher, so that claims 48 and 51-

54 are allowable as depending upon an allowable base claim. Applicant requests withdrawal of these rejections.

Furthermore with respect to claims 53 and 54, none of the references Graves, Teicher, Kinker or O'Leary, alone or in combination, show or suggest detecting a request from the user via an electronic communications network for a valid charge number and providing a selected purchase number via the electronic communications network in response to the request. There is no suggestion in any of these references for combining them in this manner in the first place.

CONCLUSION

Applicant respectfully submits that for the reasons recited above and for various other reasons, the rejections have been overcome and should be withdrawn. Applicant respectfully submits therefore that the present application is in a condition for allowance and reconsideration is respectfully requested. Should this response be considered inadequate or non-responsive for any reason, or should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference.

Respectfully submitted,

Date: July 24, 2006

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